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MCDERMOTT WILL & EMERY LLP  
600 13TH STREET, N.W.  
WASHINGTON, DC 20005-3096

EXAMINER

MA, JOHNNY

ART UNIT PAPER NUMBER

2614

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/423,243

Applicant(s)

YANAGAWA, YOSHIFUMI

Examiner

Johnny Ma

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 20-29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) 16 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 March 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election without traverse of Group I (claims 1-19, drawn to a user interface for controlling networked devices) in the reply filed on 6/9/2004 is acknowledged.

### *Claim Objections*

2. Claims 16 and 17 are objected to because of the following informalities: "memeory" should read "memory" (claim 16, lines 5, 10; claim 17, 5). Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6, 9-15, 18, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Humpleman et al. (US 6,603,488 B2).

As to claim 1, note the Humpleman et al. reference discloses a browser based command and control home network. The claimed "controller having a user interface; and a device acting as an object to be controlled, with at least said controller and device included in said two or more of equipment" is met by "...the DTV 102 provides the

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human interface for the home network 100 by employing a browser technology to allow users to control and command the home devices over the home network 100”

(Humpleman et al. 6:15-18, also see Figure 1). The claimed “wherein said device has at least one or more display components, each of which configures an operation picture for operating said device, and also has a control code corresponding to said display component” is met by “...control may be implemented by transfer of a graphical control object (GCO), which preferably resides in the server [home device], from the server for rendering on the client [DTV], to make the GUI” (Humpleman et al. 8:32-35) where the control code corresponding to the display component is inherent to the controlling of the disclosed home devices. The claimed “said controller reads said display component and control code from said device and display said read display component on a display screen” is met by “...each home device supplies its own GUI through its own HTML files to the browser based DTV 102, the browser based DTV 102 can provide a command and control interface for a home device...” (Humpleman et al. 7:18-22). The claimed “said controller transmits the control code corresponding to said display component and also operation information of said user to said device when the user operates said display component on said display screen; and said device executes a function indicated by said display component according to said transmitted control code and user’s operation information” is met by “...user may now select control options from the home pages of each selected device...in order to command and control the respective home devices to function in a particular manner (Humpleman et al. 19:3-8).

As to claim 2, note the Humpleman et al. reference discloses a browser based command and control home network. The claimed “controller having a user interface;

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and a device acting as an object to be controlled, with at least said controller and device included in said two or more of equipment” is met by “...the DTV 102 provides the human interface for the home network 100 by employing a browser technology to allow users to control and command the home devices over the home network 100”

(Humpleman et al. 6:15-18, also see Figure 1). The claimed “wherein said device has at least one or more display components, each of which configures an operation picture for operating said device” is met by “...control may be implemented by transfer of a graphical control object (GCO), which preferably resides in the server [home device], from the server for rendering on the client [DTV], to make the GUI” (Humpleman et al. 8:32-35) where the control code corresponding to the display component is inherent to the controlling of the disclosed home devices. The claimed “and also has a plurality of control codes corresponding to said display component” is met by “[a] macro is a sequence of commands that is saved in memory on a home device and which can be accessed and executed by a user...as if the user actually selected a particular button or performed a particular action from within a HTML page contained on the respective home device” (Humpleman et al. 21:36-41). The claimed “said controller reads said display component and control code from said device and display said read display component on a display screen” is met by “...each home device supplies its own GUI through its own HTML files to the browser based DTV 102, the browser based DTV 102 can provide a command and control interface for a home device...” (Humpleman et al. 7:18-22). The claimed “said controller transmits a few control codes out of said plurality of control codes corresponding to said display component and also operation information of said user to said device when the user operates said display component on said display

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screen; and said device executes a function indicated by said display component according to said transmitted control code and user's operation information" is met by "...user may now select control options from the home pages of each selected device...in order to command and control the respective home devices to function in a particular manner (Humbleman et al. 19:3-8).

As to claim 3, note the Humpleman et al. reference discloses a browser based command and control home network. The claimed "controller having a user interface; and a device acting as an object to be controlled, with at least said controller and device included in said two or more of equipment" is met by "...the DTV 102 provides the human interface for the home network 100 by employing a browser technology to allow users to control and command the home devices over the home network 100" (Humbleman et al. 6:15-18, also see Figure 1). The claimed "wherein said device has at least one or more display components, each of which configures an operation picture for operating said device," is met by "...control may be implemented by transfer of a graphical control object (GCO), which preferably resides in the server [home device], from the server for rendering on the client [DTV], to make the GUI" (Humbleman et al. 8:32-35) where the control code corresponding to the display component is inherent to the controlling of the disclosed home devices. The claimed "and also has a plurality of control codes corresponding to said display component" is met by "[a] macro is a sequence of commands that is saved in memory on a home device and which can be accessed and executed by a user...as if the user actually selected a particular button or performed a particular action from within a HTML page contained on the respective home device" (Humbleman et al. 21:36-41). The claimed "said controller reads said

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display component and control code from said device and displays said read display component on a display screen” is met by “...each home device supplies its own GUI through its own HTML files to the browser based DTV 102, the browser based DTV 102 can provide a command and control interface for a home device...” (Humbleman et al. 7:18-22). The claimed “said controller transmits a few control codes out of said plurality of control codes corresponding to said display component to said device when the user operates said display component on said display screen; and said device executes a function indicated by said display component according to said transmitted control code” is met by “...user may now select control options from the home pages of each selected device...in order to command and control the respective home devices to function in a particular manner (Humbleman et al. 19:3-8).

As to claim 4, please see rejections of claim 3.

As to claim 5, the claimed “wherein a display component includes at least one or more of still picture data and/or text data” is met by the display components as illustrated in Figure 11 (Humbleman et al.).

As to claim 6, the claimed “wherein a control code is an identification data of a display component” is met by “...user may now select control options from the home pages of each selected device (e.g., play 1044 and volume 1042 respectively from the DVCR and the DTV home pages) in order to command and control the respective home devices to function in a particular manner” (Humbleman et al. 19:3-8) wherein each displayed function is associated with a control/command to a device.

As to claim 9, the claimed “wherein in case a display component undergoes an alteration a device transmits information on said altered display component to a

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controller” is met by the display of various icons representing different states of a particular device (Humpleman et al. 10:14-54).

As to claim 10, note the Humpleman et al. reference discloses a browser based command and control home network connected via 1394 serial bus as illustrated in Figure 1 (Humpleman et al.). The claimed “at least one or more display components to configure an operation picture for operating the device; and a control code corresponding to said display component” is met by “...control may be implemented by transfer of a graphical control object (GCO), which preferably resides in the server [home device], from the server for rendering on the client [DTV], to make the GUI” (Humpleman et al. 8:32-35) where the control code corresponding to the display component is inherent to the controlling of the disclosed home devices. The claimed “wherein said device executes the function indicated by said display component according to said control code received via said transmission line and operation information of the user” is met by “...user may now select control options from the home pages of each selected device...in order to command and control the respective home devices to function in a particular manner (Humpleman et al. 19:3-8).

As to claim 11, note the Humpleman et al. reference discloses a browser based command and control home network connected via 1394 serial bus as illustrated in Figure 1 (Humpleman et al.). The claimed “at least one or more display components to configure an operation picture for operating the device” is met by “...control may be implemented by transfer of a graphical control object (GCO), which preferably resides in the server [home device], from the server for rendering on the client [DTV], to make the GUI” (Humpleman et al. 8:32-35) where the control code corresponding to the display



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component is inherent to the controlling of the disclosed home devices. The claimed “and a plurality of control codes corresponding to said display component” is met by “[a] macro is a sequence of commands that is saved in memory on a home device and which can be accessed and executed by a user...as if the user actually selected a particular button or performed a particular action from within a HTML page contained on the respective home device” (Humbleman et al. 21:36-41). The claimed “wherein said device receives a few control codes out of said plurality of control codes and operation information of the user via said transmission line and executes the function indicated by the display component” is met by “...user may now select control options from the home pages of each selected device...in order to command and control the respective home devices to function in a particular manner (Humbleman et al. 19:3-8).

As to claim 12, note the Humbleman et al. reference discloses a browser based command and control home network connected via 1394 serial bus as illustrated in Figure 1 (Humbleman et al.). The claimed “at least one or more display components to configure an operation picture for operating the device” is met by “...control may be implemented by transfer of a graphical control object (GCO), which preferably resides in the server [home device], from the server for rendering on the client [DTV], to make the GUI” (Humbleman et al. 8:32-35) where the control code corresponding to the display component is inherent to the controlling of the disclosed home devices. The claimed “and a plurality of control codes corresponding to said display component” is met by “[a] macro is a sequence of commands that is saved in memory on a home device and which can be accessed and executed by a user...as if the user actually selected a particular button or performed a particular action from within a HTML page contained on the

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respective home device” (Humpleman et al. 21:36-41). The claimed “wherein said device receives a few control codes out of said plurality of control codes via said transmission line and executes the function indicated by said display component” is met by “...user may now select control options from the home pages of each selected device...in order to command and control the respective home devices to function in a particular manner (Humpleman et al. 19:3-8).

As to claim 13, note the Humpleman et al. reference discloses a browser based command and control home network connected via 1394 serial bus as illustrated in Figure 1 (Humpleman et al.). The claimed “reading a display component to configure an operation picture of a device and a control code corresponding to said display component from said device provided with a user interface and acting as an object to be controlled; displaying said display component on display screen;” is met by is met by “...each home device supplies its own GUI through its own HTML files to the browser based DTV 102, the browser based DTV 102 can provide a command and control interface for a home device...” (Humpleman et al. 7:18-22). The claimed “and transmitting a control code corresponding to said display component and operation information of the user when said user operates said display component on said display screen” is met by “...session manager...generates a session page that provides an interface which allows users to command and control the home devices that are connected to the home network in order to perform various functions and/or services” (Humpleman et al. 14:35-40), where a control code is inherent to the controlling of said devices.

As to claim 14, note the Humpleman et al. reference discloses a browser based command and control home network connected via 1394 serial bus as illustrated in

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Figure 1 (Humpleman et al.). The claimed “reading at least one or more display components to configure an operation screen of a device and a plurality of control codes corresponding to said display component from said device provided with a user interface and acting as an object to be controller; displaying said display component on a display screen” are met by “...each home device supplies its own GUI through its own HTML files to the browser based DTV 102, the browser based DTV 102 can provide a command and control interface for a home device...” (Humpleman et al. 7:18-22) wherein “[a] macro is a sequence of commands that is saved in memory on a home device and which can be accessed and executed by a user...as if the user actually selected a particular button or performed a particular action from within a HTML page contained on the respective home device” (Humpleman et al. 21:36-41). The claimed “and transmitting a few control codes out of said plurality of control codes corresponding to said display component and operation information of the user when said user operates said display component on said display screen” is met by “...session manager...generates a session page that provides an interface which allows users to command and control the home devices that are connected to the home network in order to perform various functions and/or services” (Humpleman et al. 14:35-40), where control codes are inherent to the controlling of said devices.

As to claim 15, note the Humpleman et al. reference discloses a browser based command and control home network connected via 1394 serial bus as illustrated in Figure 1 (Humpleman et al.). The claimed “reading at least one or more display components to configure an operation screen of a device and a plurality of control codes corresponding to said display component from said device provided with a user interface

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and acting as an object to be controlled; displaying said display component on a display screen” are met by “...each home device supplies its own GUI through its own HTML files to the browser based DTV 102, the browser based DTV 102 can provide a command and control interface for a home device...” (Humpleman et al. 7:18-22) wherein “[a] macro is a sequence of commands that is saved in memory on a home device and which can be accessed and executed by a user...as if the user actually selected a particular button or performed a particular action from within a HTML page contained on the respective home device” (Humpleman et al. 21:36-41). The claimed “transmitting a few control codes out of said plurality of control codes corresponding to said display component when the user operates said display component on said display screen” is met by “...session manager...generates a session page that provides an interface which allows users to command and control the home devices that are connected to the home network in order to perform various functions and/or services” (Humpleman et al. 14:35-40), where control codes are inherent to the controlling of said devices.

As to claim 18, note the Humpleman et al. reference discloses a browser based command and control home network connected via 1394 serial bus as illustrated in Figure 1 (Humpleman et al.). The claimed “said device has a plurality of operation picture data for controlling the device; and said controller reads said operation picture data from said device and displays an operation picture prepared by using said operation picture data” is met by “...each home device supplies its own GUI through its own HTML files to the browser based DTV 102, the browser based DTV 102 can provide a command and control interface for a home device...” (Humpleman et al. 7:18-22, also see Figure 11). The claimed “said controller reads said operation picture data from said

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device and displays an operation picture prepared by using said operation picture data by switching between operation pictures according to the operation of the user” is met by the display of variations of image files representing different device states (Humpleman et al. 10:20-54).

As to claim 19, note the Humpleman et al. reference discloses a browser based command and control home network connected via 1394 serial bus as illustrated in Figure 1 (Humpleman et al.). The claimed “reading a plurality of operation picture data from the device provided with a user interface and acting as an object to be controlled” and “producing a selection picture for selecting said plurality of operation screens from said operation picture data” is met by “...each home device supplies its own GUI through its own HTML files to the browser based DTV 102, the browser based DTV 102 can provide a command and control interface for a home device...” (Humpleman et al. 7:18-22, also see Figure 11). The claimed “displaying said selection picture” is met by the display of variations of image files representing different device states (Humpleman et al. 10:20-54).

3. Claim 16 is rejected under 35 U.S.C. 102(b) as being anticipated by Sony Corporation reference (WO 97/49057).

As to claim 16, note the Sony reference that discloses a device user interface with topology map wherein tasks performed by the devices coupled to the serial bus are also controlled and monitored by the user through the graphical use interface of the computer system” (page 4, lines 15-17). The claimed “having an identification information memory area to store identifying information, whereby said device is identified by the user” is met by the storing of connection map or a topology map in external RAM (page

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14, lines 4-6) including display components as illustrated in Figures 10 and 11. The claimed “receiving data of a display component, whereby the user identifies designated equipment” is met by “[a]lternatively, the computer system will obtain the image of the device from the memory of the device itself” (page 17, lines 19-20). The claimed “storing data of said display component as said identifying information in said identification information memory area” is also met by the storing of connection map or a topology map in external RAM (page 14, lines 4-6).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman et al. (US 6,603,488 B2).

As to claims 7 and 8, the claimed “wherein a display component is a program including a display element” and “wherein a control code is a program ID of a program.” Note the Humpleman et al. reference discloses a home network program guide including electronic television program guide (Humpleman et al. 22:56-67; 23:64). However the Humpleman et al. reference does not specifically disclose tuning television according to program id’s associated with the disclosed program guide. Nevertheless, the examiner gives Official Notice that it is notoriously well known in the art of electronic program guides to allow a user to select a program listed on such a guide causing the tuner to directly tune to the channel the selected program is currently being broadcasted for the

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purpose of allowing a user to quickly identify a program of interest and providing a convenient means for tuning to that program that does not require a user to exit a guide a tune to such a channel manually. Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Humpleman et al. home network programming guide accordingly for the above stated advantages.

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Sony Corporation reference (WO 97/49057).

As to claim 17, note the Sony reference that discloses a device user interface with topology map wherein tasks performed by the devices coupled to the serial bus are also controlled and monitored by the user through the graphical use interface of the computer system” (page 4, lines 15-17). The claimed “having an identification information memory area to store display components of a plurality of kinds, whereby the device is to be identified by the user, and a flag to identify said display component of a plurality of kinds” is met by the storing of a connection or topology map in external RAM (page 14, lines 4-6) including display components as illustrated in Figures 10 and 11. The claimed receiving the flag of said display component is met by “[a]lternatively, the computer system will obtain the image of the device from the memory of the device itself” (page 17, lines 19-20). The claimed “storing the flag of said display component in said identifying information memory area” is also met by the storing of connection map or a topology map in external RAM (page 14, lines 4-6). However, the Sony reference is silent as to allowing a user to select the flag for identifying a device. Nevertheless, the examiner gives Official Notice that it is notoriously well known in the art to provide

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users graphical options for identifying objects such as in Microsoft Windows wherein a user may select an icon to represent a particular software program for the purpose of providing user customization and to allow a user to select pictorial representations that may aid in easy identification or recognition of the represented object. Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Sony device images accordingly for the above stated advantages.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The Iwamura reference (US 5,883,621) discloses a device control with topology map in a digital network.

The Stahl et al. reference (US 6,665,020 B1) discloses a digital television apparatus for controlling a peripheral device via a digital bus.

The Osakabe et al. reference (US 5,666,363) discloses a method for transmission, method for reception, method for communication and bi-directional bus system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnny Ma whose telephone number is (703) 305-8099. The examiner can normally be reached on 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jm

  
JOHN MILLER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600